

IC 13-28-3

Chapter 3. Technical and Compliance Assistance Program

IC 13-28-3-1

Establishment

Sec. 1. The department shall establish a technical and compliance assistance program.

As added by P.L.1-1996, SEC.18.

IC 13-28-3-2

Purposes of program

Sec. 2. (a) The assistance program established under this chapter shall do the following:

(1) Designate an individual to serve as a liaison and ombudsman to the regulated community to assist the regulated community with specific regulatory or permit matters pending with the department.

(2) Provide assistance to new and existing businesses and small municipalities in identifying:

(A) applicable environmental rules and regulations; and

(B) permit requirements;

that apply to new and existing businesses and small municipalities.

(3) Develop and distribute educational materials regarding:

(A) environmental requirements;

(B) compliance methods;

(C) voluntary environmental audits;

(D) pollution control technologies; and

(E) other compliance issues;

including standardized forms and procedures for completing permit applications.

(4) Provide public outreach and training sessions in cooperation with representatives of the business and municipal communities regarding existing and future state and federal environmental requirements.

(5) Develop and operate a clearinghouse to respond to inquiries from businesses and municipalities concerning applicable environmental rules, regulations, and requirements.

(6) Provide technical assistance concerning pollution control techniques to local and state governmental entities and businesses and distribute educational materials regarding pollution prevention developed by the pollution prevention division established by IC 13-27-2-1.

(7) Provide administrative and technical support for the compliance advisory panel established by section 6 of this chapter.

(8) Conduct other activities as required to:

(A) improve regulatory compliance; and

(B) promote cooperation and assistance in meeting environmental requirements.

(b) The assistance program may establish limited onsite assistance to provide compliance information to a small business or small municipality, subject to the confidentiality provisions of section 4 of this chapter. The assistance program may use money from the environmental management special fund to implement this subsection. The assistance program may limit the number of inspections per year and restrict onsite assistance to specific programs.

As added by P.L.1-1996, SEC.18.

IC 13-28-3-3

Annual report

Sec. 3. (a) The department shall prepare an annual report of the activities conducted under this chapter.

(b) The annual report must include the following:

- (1) The number and types of inquiries the program received.
- (2) The services provided by the program.

(c) The annual report shall be distributed to the following:

- (1) The governor.
- (2) The environmental quality service council.

As added by P.L.1-1996, SEC.18.

IC 13-28-3-4

Confidential information

Sec. 4. Inquiries made to the program and activities and documents of the program that identify or describe an individual facility or operation are confidential, unless a clear and immediate danger to the public health or environment exists. Information concerning inquiries, activities, and documents of the program that identify or describe an individual facility or operation may not be made available for use by other divisions of the department without the consent of the person who:

- (1) made the inquiry;
- (2) participated in the activity; or
- (3) provided the document.

As added by P.L.1-1996, SEC.18.

IC 13-28-3-5

Contracts to provide services

Sec. 5. The department may contract with another entity to provide some or all of the services required by this chapter.

As added by P.L.1-1996, SEC.18.

IC 13-28-3-6

Compliance advisory panel

Sec. 6. (a) The compliance advisory panel is established to carry out the duties established under Section 507 of the federal Clean Air Act (42 U.S.C. 7661f). The panel consists of seven (7) members designated and appointed as follows:

- (1) Two (2) members appointed by the governor who are not

owners or representatives of owners of small business stationary sources to represent the public.

(2) Four (4) members of the general assembly who are owners of or who have an interest in small business stationary sources, including:

(A) two (2) members appointed by the president pro tempore of the senate with the advice of the minority leader of the senate; and

(B) two (2) members appointed by the speaker of the house of representatives with the advice of the minority leader of the house of representatives.

(3) One (1) member appointed by the commissioner.

(b) The following restrictions apply to political party membership of panel members appointed under subsection (a):

(1) The two (2) members of the senate appointed to the panel may not be members of the same political party.

(2) The two (2) members of the house of representatives appointed to the panel may not be members of the same political party.

(c) The terms of the members of the panel are as follows:

(1) Except as provided in subdivision (3), the term of a member appointed to the panel by the senate or house of representatives expires upon the expiration of the term the member is serving in the senate or house of representatives when the member was appointed to the panel.

(2) Except as provided in subdivision (3), the term of a member appointed to the panel by the governor or the commissioner is four (4) years.

(3) The term of a member appointed to the panel who is a member of the senate or house of representatives continues until the member's successor to the panel is appointed.

(d) A vacancy on the panel for a position under subsection (a) shall be filled through appointment by the appointing authority. An appointment under this subsection is for the remainder of the unexpired term.

(e) Per diem and expenses for members of the panel are as follows:

(1) A member of the panel appointed under subsection (a)(1) who is not a state employee is entitled to receive:

(A) the minimum salary per diem provided by IC 4-10-11-2.1(b); and

(B) reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(2) A member of the panel appointed under subsection (a)(2) is entitled to receive the same per diem, mileage, and travel allowances paid to a member of the general assembly serving on an interim study committee established by the legislative

council.

(3) A member of the panel appointed under subsection (a)(3) serves on the panel without additional compensation.

(f) The chairman of the legislative council shall appoint a legislative member of the compliance advisory panel to serve as chairman of the panel. The individual appointed under this subsection serves at the pleasure of the chairman of the legislative council.

As added by P.L.1-1996, SEC.18.